

REMARKS

The claims were rejected under 35 USC 102 and 103, with reference to US Patents 6,054,100 to Stanchfield and US Patents 3,085,689, 5,474,674, 4,915,831 to Hering, Bresolin, and Taylor, respectively. The claims have been further amended to place them in condition for allowance.

It is respectfully noted that the claims as amended introduce no new matter. See, e.g., pages 3-4, and Figs. 1-8 of the original application

The claims as amended clearly distinguish over the teachings of Stanchfield, Hering, Bresolin, Taylor, and any combination thereof. Stanchfield merely teaches a lockable latch or clip 66 and 68, on the order of hinged metal lunch pail clips. E.g., col. 10, lines 26-36, and Figs. 1-2. The current office action states that Hering fails to disclose levers or the like. Bresolin teaches an “arm 28 which is mounted on a substantially vertical pivot 29 which is parallel to the main axis of the device 1” and “each pivot has an eccentric protrusion 30 that is suitable to fit, by rotating through approximately 90 degrees, in a complementarily shaped seat 31 of the lower part 2,” col. 4, lines 22-26, and thus the arm is not unitary with the cover and there is no hook shaped projection that connects with the bottom part. Taylor merely recognizes a problem, but suggests no solution, and it is contrary to the law to use the applicant’s teachings in solving the problem in a determination of obviousness.

In contrast to the above noted references, the claims are directed to a plurality of plastic spring levers distributed around the circumference of the cover that are unitarily formed with the plastic cover, with among other things, hook-shaped projections that connect with the bottom part. The claimed subject matter is the opposite of the non-unitary latches or clips or arms, or the non-hook-shaped projection engagements of the cited references. Indeed, the cited references, by virtue of having separate, non-unitary components with the cover, teach away from the claimed subject matter.

In the Advisory Action to the previously submitted Amendment and Reply After Final Rejection, the Examiner noted a reference to Liang in the Reply After Final. The Liang reference noted therein was the Liang reference disclosed in the previous supplemental information disclosure statement, and the claims as now amended may now not make the teachings of Liang pertinent. The Examiner is nevertheless respectfully requested to review the references identified in applicant's information disclosure statements, and make all references identified therein of record.

If for any reason it is felt that a telephone interview would be helpful in resolving any issues involving this application, the Examiner is further respectfully invited to contact the below-listed attorney representing Applicant.

Dated: June 6, 2007

Respectfully submitted,


Bradley G. Lane, Reg. No. 33,411
Attorney for Applicant

BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, Illinois 60610
(312) 321-4200